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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, No. C 06-04378 CRB  
Plaintiff,  
**ORDER**  
v.  
ROBERT SCHMIDT,  
Defendant.

On July 9, 2003, defendant plead guilty to one count of maintaining or establishing drug-involved premises under 21 U.S.C. 856(a)(1). On July 6, 2006, defendant was sentenced by the Court to 41 months in federal prison. Defendant appealed to the Ninth Circuit, which dismissed his appeal on November 3, 2005. On July 14, 2006, defendant filed a Section 2255 motion to set aside or correct his sentence. The United States of America shall file an opposition to defendant's motion within 60 days of this motion. Defendant shall file any reply within 30 days of the filing of the United States' opposition.

**IT IS SO ORDERED.**

Dated: July 24, 2006

  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

**United States District Court**

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For the Northern District of California